

APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

MINUTES

March 26, 2009 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First Street, Sanford, FL

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:30 p.m. in the Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Bill Fahey, Vice Chair
Grace Chewning
Paul Sladek
Shelley Shaffer
Dennis Warren

Members Excused: Jay Ammon

Present & Sworn: Karyn Reilly, Respondent, 09-39-CEB
Nasrin Kyani, Respondent, 09-43-CEB
Karen Padgett, representing the Respondent, 09-44-CEB
Melissa Rocque, Respondent, 09-45-CEB
Fredrick Hendry, Respondent, 06-81-CEB
Shawnette Pankey, Respondent, 08-68-CEB
Gwendolyn Cantrell-Frank, Respondent, 08-122-CEB
Lokesh Persaud, Respondent, 08-124-CEB
John McGraw, attorney for foreclosing entity, 08-141-CEB
Anissa Bolton, attorney for foreclosing entity, 08-184-CEB
Catherine Misuraca, Respondent, 08-160-CEB
John Brooks, Respondent, 05-09-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Joann Tamulonis, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Jason Rucker, Inspector, Seminole County

Others Present: Yvette Brown, Code Enforcement Board Attorney
Jane Spencer, Clerk to the Code Enforcement Board

IV Swearing in of Witnesses

Charles Kuts, Citizens on Patrol, 09-43-CEB

V Agenda Update and Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

TOM HAGOOD – YES

GRACE CHEWNING – YES

DENNIS WARREN – YES

BILL FAHEY – YES

PAUL SLADEK – YES

SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

The following cases will not be heard today:

Alexander Palacio, 09-10-CEB
Complied Prior to Hearing

Crystal Furiano, 09-31-CEB
Continued By Staff

Wilson E. and Mary A. Tanner, 09-32-CEB
Complied Prior to Hearing

Luis Hernandez and Emily Firueroa, 09-33-CEB
Complied Prior to Hearing

Scott L. and Robin L. Philpot, 09-34-CEB
Continued By Staff

Jeremy Colon and William Ebanks, 09-38-CEB
Complied Prior to Hearing

Lisa A. and Mark K. Weller, 09-40-CEB
Complied Prior to Hearing

Mercedes C. Martinez, 09-42-CEB
Complied Prior to Hearing

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 09-43-CEB
Nasrin Kyani and Kevin Klein
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247
Described as: 1) Use of prohibited signs
2) Use of unpermitted ground signs
Location: 5876 Red Bug Lake Road, Winter Springs (Commission District 1)
Parcel ID # N/A

Donna Wisniewski, Code Enforcement Officer, was present and testified on behalf of the County and entered into evidence photographs of the violations. Officer Wisniewski testified that since sending out the Notice of Hearing, the signs have been removed and the property is currently in compliance.

Charles Kuts, Citizen on Patrol, was present at the hearing and testified on behalf of the County. Mr. Kuts stated that since October 15, 2009, he has removed over 113 signs.

Karen Padgett, representative for Styles Management, was present at the hearing and testified on behalf of the County. Ms. Padgett stated that they had notified the Respondents that the signs were a violation of their lease; and eventually notified them that due to the sign issue, they were in default of their lease. Ms. Padgett's documentation was entered into evidence. Ms. Padgett further stated that her company has removed over 120 signs.

Officer Wisniewski recommended that the Board issue an Order finding Respondents were in violation, are now in compliance and impose a fine of \$250.00 for each day the violations are repeated past March 26, 2009 with each sign or similar display constituting a separate violation.

Nasrin Kyani, Respondent, was present at the hearing and testified on her own behalf. Ms. Kyani stated that she believed that she could place signs inside the property, but not outside the property. Ms. Kyani stated that she had needed the signs to increase business.

Tom Hagood asked the Respondent if she was clear as to the nature of the violation at this time. Ms. Kyani stated that she understands that she cannot put signs anywhere.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY SHELLEY SHAFFER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS MATTER came before the Code Enforcement Board of Seminole County for hearing on **March 26, 2009**, pursuant to a Statement of Violation and Notice of Hearing, and the Board having examined the file, Statement of Violation and Notice of Hearing, and having heard sworn testimony from the Code Enforcement Officer for the County, and Respondents, does hereby find:

- 1) Proper notice was given to the Respondents.
- 2) The Respondents were in possession of the unpermitted sign(s): and
- 3) The Respondents were in violation of Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247
- 4) The Respondents corrected the violation on or before March 26, 2009.

Based upon these findings the Board does hereby order as follows:

- 1) Violation did exist and was corrected prior to the hearing in this matter.
- 2) Respondents shall refrain from repeating the violation. **In the event Respondents repeat the violation after March 26, 2009, a fine of \$250.00 per day, per violation (each sign or similar display constitutes a separate violation) will accrue for each day the violation recurs after March 26, 2009.**
- 3) This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

Mr. Hagood clarified that while the Respondent was currently in compliance, if any more sign violations occur, even one sign, a fine in the amount of \$250.00 per sign would begin to accrue per day until compliance is obtained.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 09-44-CEB
GRE Red Willow, LP
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247
Described as: 1) Use of prohibited signs
2) Use of unpermitted ground signs
Location: 5920 Red Bug Lake Road, Winter Springs (Commission District 1)
Parcel ID # 24-21-30-506-0000-0020

Donna Wisniewski, Code Enforcement Officer, was present and testified on behalf of the County and entered into evidence photographs of the violations. Officer Wisniewski testified that the signs have been removed and the property is currently in compliance.

Officer Wisniewski recommended that the Board issue an Order finding Respondent was in violation, is now in compliance and impose a fine of \$50.00 for each day the violation is repeated past March 26, 2009.

Karen Padgett, representative for the Respondent, was present at the hearing and testified on behalf of the Respondent. Ms. Padgett stated that as property manager, she will continue to try and enforce the leases that prohibit the unpermitted signs.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY PAUL SLADEK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS MATTER came before the Code Enforcement Board of Seminole County for hearing on **March 26, 2009**, pursuant to a Statement of Violation and Notice of Hearing, and the Board having examined the file, Statement of Violation and Notice of Hearing, and having heard sworn testimony from the Code Enforcement Officer for the County, and Respondent, does hereby find:

- 1) Proper notice was given to the Respondent.
- 2) The Respondent is the owner of record of the property (Tax Parcel ID # 24-21-30-506-0000-0020) located at 5920 Red Bug Lake Road, Winter Springs, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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LEG LOT 2 (LESS BEG SW COR RUN E 108.44 FT N
240.08 FT S 56 DEG 19 MIN SEC W 223.36 FT S 33
DEG 40 MIN 58 SEC E 139.67 FT TO BEG & BEG NW
COR RUN N 56 DEG 19 MIN 2 SEC E 190.55 FT S 21
DEG 28 MIN 58 SEC E 58 FT S 56 DEG 19 MIN 2 SEC
W 115 FT S 3 DEG 27 MIN 29 SEC W 54.65 FT S 56 DEG
19 MIN 2 SEC W 23 FT N 33 DEG 40 MIN 58 SEC W 192
FT TO BEG & RD) RED WILLOW PLAZA
PB 35 PGS 99 & 100

- 3) The Respondent was in violation of Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247.
- 4) The Respondent corrected the violation on or before March 26, 2009.

Based upon these findings the Board does hereby order as follows:

- 1) Violation did exist and was corrected prior to the hearing in this matter.
- 2) Respondent shall refrain from repeating the violation. **In the event Respondent repeats the violation after March 26, 2009, a fine of \$50.00 per day will accrue for each day the violation recurs after March 26, 2009.**
- 3) This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

Case No. 06-81-CEB
Fredrick L. and Annette L. Hendry
Code Enforcement Officer: Joann Tamulonis

The Board heard this case on January 22, 2009 and continued the case until February 26, 2009. On February 26, 2009 due to the Respondents' inability to attend the meeting, the Board continued the case until March 26, 2009

This is a repeat violation. The original violation was heard by the Board on January 25, 2007; and an Order was entered giving the Respondents a compliance date of February 8, 2007. An Order Finding Compliance and Reducing Fine was entered on March 22, 2007. The reduced fine was paid.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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An Affidavit of Repeat Violation was filed after reinspection on March 18, 2008. An Order was entered finding the Respondents in Repeat Violation and imposing a fine of \$19,200.00 for 192 days of non-compliance. The fine has continued to accrue at \$100.00 per day.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **37,400.00** for 374 days of non-compliance, from March 18, 2008 through and including March 26, 2009; and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (j).
Described as: 1) The accumulation of trash and debris.
2) Used and/or scrap building materials on property.
Location: 3952 Mc Neil Road, Apopka (Commission District 3)
Tax Parcel ID # 17-21-29-5BG-0000-050A

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Tamulonis stated that the property was not in compliance, that his building permit does not correct the violation.

Fredrick Hendry, Respondent, was present at the hearing and testified on his own behalf. Mr. Hendry asked for clarification as to why he is not in compliance. Tom Hagood informed Mr. Hendry that Officer Tamulonis would have to clarify that for him.

Mr. Hendry requested a 30-day extension of time.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT THE CASE BE CONTINUED UNTIL THE APRIL 23, 2009 MEETING.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

Case No 08-38-CEB
Gailean R. Troutman
Code Enforcement Officer: Dorothy Hird (Officer Deborah Leigh presenting)

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This is a repeat violation. The original violation was heard by the Board on February 28, 2008; and an Order was entered finding that the Respondent was in compliance at the time of the hearing.

An Affidavit of Repeat Violation was filed after reinspection on July 8, 2008. An Order was entered finding the Respondent in Repeat Violation and imposing a fine of \$2,600.00 for 52 days of non-compliance. The fine was increased to \$75.00 per day at that time. An Affidavit of Compliance after Repeat Violation was filed after reinspection on September 30, 2008.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$5,000.00** for **84** total days of non-compliance, 52 days, from July 8, 2008 through and including through and including August 28, 2008, at \$50.00 per day and 32 days, from August 29, 2008 through and including September 29, 2008, at \$75.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 129 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0700

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Leigh stated that Staff would like to change the agenda recommendation.

Officer Leigh stated that the recommendation would be to reduce the amount of the fine to \$500.00 plus administrative costs for a total of \$872.34 and impose a lien in that amount.

Gailean R. Troutman, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL SHELLEY SHAFFER, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 18-21-30-507-0000-0700) located at 129 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 70 REPLAT OF WINWOOD PARK
PB 3 PG 30

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This case came on for public hearing before the Code Enforcement Board of Seminole County on August 28, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation not in Compliance.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$2,600.00 would be imposed for 52 days of non-compliance, from July 8, 2008 through and including August 28, 2008, at \$50.00 per day; and further ordered that if the violation continues or is repeated past August 28, 2008, the fine shall be increased to \$75.00 per day until compliance is obtained.

An Affidavit of Compliance after Repeat Violation has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has been obtained as of September 30, 2008.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated February 28, 2008 and the Findings of Fact, Conclusions of Law and Order on a Repeat Violation Not in Compliance dated August 28, 2008.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Findings of Fact, Conclusions of Law and Order on a Repeat Violation Not in Compliance dated August 28, 2008, the Board orders that a **fine** in the amount of **\$5,000.00** for 84 days of non-compliance, 52 days at \$50.00 per day, from July 8, 2008 through and including August 28, 2008 and 32 days at \$75.00 per day, from August 29, 2009 through and including September 29, 2008, **be reduced to \$872.34.**

The Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Case No. 08-68-CEB
Shawnette U. Pankey
Inspector: Jason Rucker

This case was originally heard by the Board on June 26, 2008; and an Order was entered giving the Respondent a compliance date of December 31, 2008. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on January 9, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$8,500.00** for 85 days of non-compliance, from January 1, 2009 through and including March 26, 2009, at \$100.00 per day; and the fine shall continue to accrue at **\$100.00 per day** for each day the violation continues or is repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Construction without the required permits
Location: 503 Peach Tree Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0590

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County. Mr. Rucker stated that Staff was requesting a lien be placed on the property due to non-compliance.

Shawnette Pankey, Respondent, was present at the hearing and testified on her own behalf stating that lack of funds due to the loss of her job had prevented her from correcting the violation.

Tom Hagood asked the Respondent if she had begun the permitting process. The Respondent stated that she had not but would begin as soon as she receives her tax refund check.

A general discussion was had concerning the length of time that would be necessary to come into compliance.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY PAUL SLADEK, THAT THE CASE BE CONTINUED UNTIL THE JULY 23, 2009 MEETING.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 08-141-CEB
Evie Morera and
Platinum Community Bank (lis pendens)
Senior Code Enforcement Officer: Deborah Leigh

This case was originally heard by the Board on September 25, 2008; and an Order was entered giving the Respondent a compliance date of December 15, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on December 16, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 12, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the **reduced** amount of \$869.92 which represents \$500.00 plus the administrative costs in processing the case. The property was out of compliance for 86 days of non-compliance, from December 16, 2008 through and including March 11, 2009, at \$250.00 per day which totals an accrued fine of \$21,500.00. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (n) and (o)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water in a swimming or wading pool
3) Swimming pool not secured according to code
Location: 27 Old Post Road, Longwood (Commission District 5)
Tax Parcel ID # 23-20-29-502-0000-0160

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County stating that the property was in compliance. Officer Leigh stated that the recommendation would be to reduce the amount of the fine to \$500.00 plus administrative costs for a total of \$869.92 and impose a lien in that amount.

Evie Morera, Respondent, was not present at the hearing.

John McGraw, attorney for the foreclosing entity, was present at the hearing and testified on behalf of Platinum Community Bank. Mr. McGraw stated that the bank had obtained the property through foreclosure and that the problem with obtaining compliance had been due to the foreclosure process. Mr. McGraw asked the Board to waive the fine with the administrative costs to be paid by Platinum Bank.

A general discussion was had concerning maintaining the property.

Motion by Grace Chewning, seconded by Bill Fahey, to impose a lien in the amount of \$369.92.

A general discussion was had concerning the motion.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Amendment to the motion by Grace Chewing to accept Staff's recommendation but reduce the fine to \$369.92 if paid within 30 days. Mr. Fahey agreed to the amendment.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 23-20-29-502-0000-0160) located at 27 Old Post Road, Longwood, located in Seminole County and legally described as follows:

LEG LOT 16 TRILBY BEND 2ND SEC
PB 16 PG 90

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 25, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by December 15, 2008.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on December 16, 2008.

An Affidavit of Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has been obtained after reinspection on March 12, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated September 25, 2008, the Board orders that a lien in the amount of \$21,500.00 for 86 days of non-compliance at \$250.00 per day, from December 16, 2008 through and including March 11, 2009, **be reduced to \$369.92.**

It is further ordered that the Respondent shall have **30 days** in which to pay the reduced fine of **\$369.92**. If the Respondent does not pay this amount on or before **April 26, 2009**, the fine will revert to the original amount of \$21,500.00 and shall constitute a lien upon any real or personal property owned by the Respondent.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

Case No. 08-160-CEB
Catherine and Dennis Misuraca and
U.S. Bank, N.A. (lis pendens)
Code Enforcement Officer: Pamela Taylor

The Board heard this case on January 22, 2009 and continued the case until February 26, 2009. The Code Enforcement Officer continued the case until March 26, 2009.

This case was originally heard by the Board on October 23, 2008; and an Order was entered giving the Respondents a compliance date of November 6, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on November 7, 2008.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the **reduced** amount of \$1,685.43 which represents \$1,000.00 plus the Administrative costs in processing the case. The property was out of compliance for 126 days of non-compliance, from November 7, 2008 through and including March 12, 2009, at \$250.00 per day which totals an accrued fine of \$31,500.00. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (l) and (p)

Described as:

- 1) The accumulation of trash and debris
- 2) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport
- 3) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Location: 2550 Narcissus Avenue, Sanford (Commission District 5)
Tax Parcel ID # 22-19-30-5AD-0000-012B

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Taylor stated that the recommendation would be to reduce the amount of the fine to \$1,000.00 plus administrative costs of \$685.43 and impose a lien in that amount.

Catherine Misuraca, Respondent, was present at the hearing and testified on her own behalf. Mrs. Misuraca asked the Board to reduce or waive the fine.

Motion by Bill Fahey to reduce the fine to \$700.00 if paid within 45 days or the fine will revert back to the original amount of \$31,500.00. Tom Hagood clarified the motion. Motion seconded by Dennis Warren.

Amendment to the motion by Grace Chewning to reduce the fine to \$685.43 if paid within 45 days. Bill Fahey agreed to the amendment.

Mrs. Misuraca requested 60 days in which to pay the amount.

Amendment to the motion by Bill Fahey to increase the amount of time to pay the fine to 60 days. Dennis Warren agreed to the amendments.

Tom Hagood again clarified the motion.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owner of record of the property (Tax Parcel I.D. # 22-19-30-5AD-0000-012B) located at 2550 Narcissus Avenue, Sanford, located in Seminole County and legally described as follows:

LEG S 160 FT OF E 140 FT OF W 190 FT OF LOT
12 FLA LAND + COL COS CELERY PLANTATION
PB 1 PG 129

This case came on for public hearing before the Code Enforcement Board of Seminole County on October 23, 2008, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (l) and (p).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by November 6, 2008.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on November 7, 2008.

An Affidavit of Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has been obtained after reinspection on March 13, 2009.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated October 23, 2008, the Board orders that a lien in the amount of \$31,500.00 for 126 days of non-compliance at \$250.00 per day, from November 7, 2008 through and including March 12, 2009, be imposed.

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

TOM HAGOOD – NO	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 5 – 1.

Case No. 08-184-CEB
Marlo Spahalski and
Deutsche Bank Trust Company (lis pendens)
Code Enforcement Officer: Donna Wisniewski

This case was originally heard by the Board on January, 2009; and an Order was entered giving the Respondent a compliance date of January 23, 2009 for the unsecured pool and February 6, 2009 for the stagnant water. An Affidavit of Partial Compliance was filed by the Code Enforcement Officer after reinspection on January 26, 2009 regarding the unsecured pool. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 20, 2009 regarding the stagnant water.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$12,000.00** for 48 days of non-compliance, from February 7, 2009 through and including March 26, 2009, at \$250.00 per day; and the fine shall continue to accrue at

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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\$250.00 per day for each day the violations continue or are repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o)
Described as: 1) Stagnant or foul water within a swimming or wading pool
2) Swimming pool not secured according to Code
Location: 2152 Ridge Drive, Winter Park (Commission District 1)
Parcel I. D. # 33-21-30-502-0D00-0150

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Wisniewski stated that the pool had been secured. Officer Wisniewski further stated that while the pool had been drained of most of the water, the water that remained was green.

Marlo Spahalski, Respondent, was not present at the hearing.

Anissa Bolton, attorney for the foreclosing entity, was present and testified on behalf of Deutsche Bank Trust Company. Ms. Bolton stated that while the bank was moving forward with the foreclosure process, they were not yet the owners of the property. This fact, according to Ms. Bolton, was causing the delay in bringing the property into compliance and requested addition time.

Tom Hagood clarified that the pool was secure.

Motion by Grace Chewing to table the case until the April 23, 2009 meeting.

Yvette Brown, attorney for the Code Board, advised the Board that 30 days might not be enough time for the bank to complete the foreclosure process and obtain ownership.

Amendment to the motion by Grace Chewing to table the case until the May 29, 2009 meeting. Motion seconded by Bill Fahey.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED UNTIL THE MAY 28, 2009 MEETING.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.



SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 09-45-CEB
Raymond D. Nightengale and
Citibank, N.A. (lis pendens)
Code Enforcement Officer: Donna Wisniewski

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g)
Described as: 1) The accumulation of trash and debris
Location: 5201 North Orange Avenue, Winter Park (Commission District 1)
Parcel ID # 35-21-30-501-2100-0110

Tom Hagood asked Melissa Rocque to explain her relationship to the Respondent. Ms. Rocque stated that she was a friend of the Respondent and also currently lived at the property.

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Wisniewski stated that as of March 16, 2009, the front and the side of the property was much improved.

Officer Wisniewski stated that the recommendation would be to comply by April 27, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past April 27, 2009.

Melissa Rocque, representative for the Respondent, was present and testified on behalf of the Respondent. Ms. Rocque requested an additional 30 days to come into compliance. Officer Wisniewski stated that she would not object to the additional time.

Motion by Dennis Warren, seconded by Grace Chewning, to accept Staff's recommendation but with a compliance date of May 22, 2009.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-45-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID # 35-21-30-501-2100-0110) located at 5201 Orange Avenue, Winter Park, located in Seminole County and legally described as follows:

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LEG LOT 12 + S 11 FT OF LOT 11 BLK 21
SUBURBAN HOMES
PB 5 PG 60

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g).

It is hereby ordered that the Respondents shall correct the violation on or before May 22, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS

If the Respondents do not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violation continues or is repeated after compliance past May 22, 2009.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

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Case No. 08-122-CEB
Gwendolyn Cantrell-Frank
Inspector: Jason Rucker

This case was originally heard by the Board on August 28, 2008; and an Order was entered giving the Respondent a compliance date of February 19, 2009. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on February 20, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$8,750.00** for 35 days of non-compliance, from February 20, 2009 through and

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including March 26, 2009, at \$250.00 per day; and the fine shall continue to accrue at **\$250.00 per day** for each day the violation continues or is repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 407 Basewood Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0370

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County. Mr. Rucker stated that Ms. Cantrell-Frank was here to ask for additional time.

Gwendolyn Cantrell-Frank, Respondent, was present at the hearing and testified on her own behalf. Ms. Cantrell-Frank, stating that she was struggling to keep the property out of foreclosure, requested additional time to bring the property into compliance.

Tom Hagood asked the Respondent if it was her intent to try and bring the property into compliance. The Respondent stated that she was going to try and get a variance.

A general discussion was had concerning the nature of the violation and ways to bring it into compliance.

After discussion of this case by the Board:

MOTION BY SHELLEY SHAFFER, SECONDED BY DENNIS WARREN, THAT THE CASE BE CONTINUED UNTIL THE JULY 23, 2009 MEETING.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

Case No. 08-124-CEB
Lokesh S. and Dianne Persaud
Inspector: Jason Rucker

The Board heard this case on January 22, 2009 and continued the case until March 26, 2009.

This case was originally heard by the Board on September 25, 2008; and an Order was entered giving the Respondents a compliance date of November 28, 2008. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on December 16, 2008.

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This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$29,500.00** for 118 days of non-compliance, from November 29, 2008 through and including March 26, 2009, at \$250.00 per day; and the fine shall continue to accrue at **\$250.00 per day** for each day the violation continues or is repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 2820 Beardall Avenue, Sanford (Commission District 5)
Tax Parcel ID # 04-20-31-300-0350-0000

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County. Mr. Rucker stated that Mr. Persaud had applied for two permits, that one had been issued and that the other had been approved and was ready to be picked up. According to Mr. Rucker, a third item, the enclosure of the front, remained out of compliance.

Lokesh Persaud, Respondent, was present at the hearing and testified on his own behalf. Mr. Persaud requested an additional eight months to come into compliance.

Mr. Persaud explained the progress that had been made and the issues that remained.

After discussion of this case by the Board:

MOTION BY PAUL SLADEK, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED UNTIL THE JULY 23, 2009 MEETING.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

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A brief recess was taken.
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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Case No. 09-39-CEB
Karyn Reilly and Arthur Anderson
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n)
Described as: 1) Stagnant or foul water in a swimming or wading pool
Location: 104 Pressview Avenue, Longwood (Commission District 4)
Tax Parcel ID # 35-20-29-504-0C00-0030

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Leigh stated that as of her last inspection on March 16, 2009, stagnant water remained in the swimming pool.

Officer Leigh stated that the recommendation would be to comply by April 13, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past April 13, 2009.

Karyn Reilly, Respondent, was present at the hearing and testified on her own behalf. Ms. Reilly stated that with an estimate of \$10,000.00 to repair the pool, lack of funds was preventing her from correcting the violation.

A general discussion was had concerning pumping the pool to obtain compliance.

Officer Leigh stated that since the pool was secured, she would not object to extending the date for compliance.

Motion by Paul Sladek, seconded by Grace Chewning, to accept Staff's recommendation but with a compliance date of April 20, 2009.

After discussion of this case by the Board:

MOTION BY PAUL SLADEK, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-39-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID # 35-20-29-504-0C00-0030) located at 104 Pressview Avenue, Longwood, located in Seminole County and legally described as follows:

LEG LOT 3 BLK C THE MEADOWS WEST
PB 17 PG 6

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- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n).

It is hereby ordered that the Respondents shall correct the violation on or before April 20, 2009. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE STAGNANT OR FOUL WATER WITHIN A SWIMMING POOL

If the Respondents do not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violation continues or is repeated after compliance past April 20, 2009.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

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Case No. 09-26-CEB
Allison Desanto
Code Enforcement Officer: Joann Tamulonis

NEW CASE CONTINUED FROM THE FEBRUARY 26, 2009 MEETING BY CEB

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202

Described as: 1) The operation of a business or extension of a business is not a permitted use of the property zoned R-1A

Location: 3230 Caulfield Street, Apopka (Commission District 3)
Parcel ID # 18-21-29-522-0C00-0090

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence a PowerPoint presentation. Officer Tamulonis stated that this case had been continued from the February 26, 2009 meeting. Officer Tamulonis entered into evidence a copy of the code pertaining to this

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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property along with an interpretation of the code by the Seminole County Assistant Planning Manager.

A general discussion was had concerning the interpretation of the code.

Officer Tamulonis stated that the recommendation would be to comply by April 16, 2009 with a fine of \$100.00 per day if the violation continues or is repeated past April 16, 2009.

When asked by Dennis Warren if the hot dog carts were still present and out in the open on the property, Officer Tamulonis stated that she had not reinspected the property. Officer Tamulonis further stated that even if the hot dog carts were placed in the garage, it would still be a violation.

Another discussion was had concerning the interpretation of the code.

Allison Desanto, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-26-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-21-29-522-0C00-0090) located at 3230 Caulfield Street, Apopka, located in Seminole County and legally described as follows:

LEG LOT 9 BLK C LYNWOOD REVISION
PB 16 PG 33

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202.

It is hereby ordered that the Respondent shall correct the violation on or before April 16, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) CEASE OPERATING A BUSINESS OR THE EXTENSION OF A BUSINESS, INCLUDING THE STORAGE OF BUSINESS RELATED EQUIPMENT, ON THE PROPERTY ZONED R-1A**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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If the Respondent does not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past April 16, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

Case No. 09-35-CEB
Mary D. Eads
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 377 Knights Court, Lake Mary (Commission District 4)
Tax Parcel ID # 17-20-30-502-0000-0170

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his last inspection, the unpermitted construction remained on the property.

Inspector Rucker stated that the recommendation would be to comply by April 26, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past April 26, 2009.

A general discussion was had concerning the code and what items require permitting.

Mary D. Eads, Respondent, was not present at the hearing.

Motion by Dennis Warren, seconded by Paul Sladek, to accept Staff's recommendation. A discussion ensued concerning the amount of the daily fine.

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Amendment to the motion by Dennis Warren to reduce the fine to \$100.00. Mr. Sladek agreed to the amendment.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY PAUL SLADEK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-35-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 17-20-30-502-0000-0170) located at 377 Knights Court, Lake Mary, located in Seminole County and legally described as follows:

LEG LOT 17 CANTERBURY AT THE CROSSINGS
PB 27 PGS 64 TO 77

- (b) in possession or control of the property, and
(c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before April 26, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS

If the Respondent does not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past April 26, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Case No. 09-36-CEB
C. Slimak, Trustee
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o)
Described as: 1) Stagnant or foul water in a swimming or wading pool
2) Swimming pool not secured according to code
Location: 12 Stone Gate South, Longwood (Commission District 5)
Tax Parcel ID # 14-20-29-501-0000-0060

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh stated that as of her last inspection on March 16, 2009, the pool was unsecured with stagnant water remaining in it.

Officer Leigh stated that these violations constitute a health, safety and welfare issue.

Officer Leigh stated that the recommendation would be to comply by April 13, 2009 with a fine of \$250.00 per day if the violations continue or are repeated past April 13, 2009.

C. Slimak, Trustee, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY PAUL SLADEK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-36-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 14-20-29-501-0000-0060) located at 12 S. Stone Gate, Longwood, located in Seminole County and legally described as follows:

LEG LOT 6 RAVENSBROOK
PB 15 PG 33 PB 15 PG 33

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o).

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It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondent shall correct the violations on or before April 13, 2009. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE STAGNANT OR FOUL WATER WITHIN A SWIMMING POOL**
- 2) SECURE SWIMMING POOL ACCORDING TO CODE**

If the Respondent does not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violations continue or are repeated after compliance past April 16, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

Case No. 09-37-CEB
Paul R. Shuttleworth
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 3813 Cypress Avenue, Sanford (Commission District 5)
Tax Parcel ID # 18-20-31-501-0000-0500

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Taylor stated that as of her inspection on March 16, 2009, the uncultivated vegetation remained on the property which is a vacant lot.

Officer Taylor stated that the recommendation would be to comply by April 13, 2009 with a fine of \$100.00 per day if the violation continues or is repeated past April 13, 2009.

Since this is a vacant lot, Paul Sladek asked Officer Taylor to explain what structure was within 75' of the uncultivated vegetation which she did.

Paul R. Shuttleworth, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY SHELLEY SHAFFER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-37-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-20-31-501-0000-0500) located at 3813 Cypress Avenue, Sanford, located in Seminole County and legally described as follows:

LOTS 50 & 51 (LESS N 5 FT OF LOT 50& S 2.32 FT OF W 91
FT & S 16.12 FT OF E 49 FT OF LOT 51) & W 1/2 OF VACD
ALLEY ADJ ON E GINDERVILLE HEIGHTS
PB 4 PG 42

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

It is hereby ordered that the Respondent shall correct the violation on or before April 13, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE**

If the Respondent does not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past April 13, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

Case No. 09-41-CEB
Tyrone and Christin Butler and
American General Home Equity, Inc.
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (l)
Described as: 1) The accumulation of trash and debris
 2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
 3) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
Location: 114 Alhambra Avenue, Altamonte Springs (Commission District 3)
 Parcel ID # 09-21-29-503-0000-1630

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis stated that as of her inspection on March 16, 2009, the violations remained on the property. Officer Tamulonis stated that the house appears to be abandoned.

Officer Tamulonis stated that the recommendation would be to comply by April 16, 2009 with a fine of \$250.00 per day if the violations continue or are repeated past April 16, 2009.

Tyrone and Christin Butler, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY PAUL SLADEK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-41-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID # 09-21-29-503-0000-1630) located at 114 Alhambra Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 163 LAKE HARRIET ESTATES
PB 12 PG 15

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (l).

It is hereby ordered that the Respondents shall correct the violations on or before April 16, 2009. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE
- 3) REPAIR, REMOVE OR PLACE ANY JUNKED, ABANDONED OR INOPERABLE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR ATTACHED CARPORT

If the Respondents do not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violations continue or are repeated after compliance past April 16, 2009.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	PAUL SLADEK – YES
DENNIS WARREN – YES	SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Case No. 09-09-CEB
Lavictor and Latonya Pelt and
U.S. Bank National Association (lis pendens)
Code Enforcement Officer: Pamela Taylor

This case was originally heard by the Board on January 22, 2009; and an Order was entered giving the Respondents a compliance date of February 5, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 6, 2009. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 5, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the **reduced** amount of \$959.32 which represents \$500.00 plus the Administrative costs in processing the case. The property was out of compliance for 27 days of non-compliance, from February 6, 2009 through and including March 4, 2009, at \$250.00 per day which totals an accrued fine of \$4,050.00. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2737 Teak Place, Lake Mary (Commission District 5)
Tax Parcel ID # 03-20-30-5PZ-0000-0800

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence a letter from Latonya Pelt stating that she was in bankruptcy.

Yvette Brown, attorney for the Code Board, discussed the Pelt bankruptcy and entered into evidence documents concerning the bankruptcy. Ms. Brown advised the Board that they could move forward with the case.

After a general discussion concerning Ms. Pelt's letter, the Board decided to move forward.

Lavictor and Latonya Pelt, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 03-20-30-5PZ-0000-0800) located at 2737 Teak Place, Lake Mary, located in Seminole County and legally described as follows:

LOT 80 THE COVE PH 2
PB 58 PGS 73 - 78

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 22, 2009, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$150.00 per day would be imposed if the Respondent did not take certain corrective action by February 5, 2009.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on February 6, 2009.

An Affidavit of Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has been obtained after reinspection on March 5, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated January 22, 2009, the Board orders that a fine in the amount of \$4,050.00 for 27 days of non-compliance at \$150.00 per day, from February 6, 2009 through and including March 4, 2009, **be reduced to \$959.32.**

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY PAUL SLADEK, SECONDED BY BILL FAHEY, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No. 08-52-CEB
A & E Management, LLC
Planner: Alan Willis

This case was originally heard by the Board on April 17, 2008; and an Order was entered giving the Respondents a compliance date of July 11, 2008. An Affidavit of Non-Compliance was filed by the Principal Planner after reinspection on September 3, 2008. An Affidavit of Compliance was filed by the Principal Planner after reinspection on March 9, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the **reduced** amount of \$1,500.00 which represents the cost of Staff's time in processing the case. The property was out of compliance for 238 days of non-compliance, from July 12, 2008 through and including March 6, 2009, at \$250.00 per day which totals an accrued fine of \$59,500.00. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Land Development Code, Chapter 40 –
Site Plan Approval
Described as: 1) Constructing and operating a moto cross track without County
approved site plan and appropriate permits
Location: 2995 Stonewall Place, Sanford (Commission District 5)
Tax Parcel ID # 22-20-30-300-0360-0000

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 22-20-30-300-0360-0000) located at 2995 Stonewall Place, Sanford, located in Seminole County and legally described as follows:

SEC 22 TWP 20S RGE 30E BEG 477.11 FT S OF NW COR OF NE 1/4
OF SE 1/4 RUN S 88 DEG 52 MIN 13 SEC W 188.81 FT NWLY ALG
CURVE 543.24 FT SWLY ALG SLY R/W N CR 427 TO A PT ON W LI
OF E 1/2 OF NW 1/4 OF SE 1/4 S TO A PT ON S LI OF NW 1/4 OF
SE 1/4 E TO A PT S OF BEG N TO BEG (LESS RD) 15.11 AC

This case came on for public hearing before the Code Enforcement Board of Seminole County on April 17, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Said Order found Respondent in violation of Seminole County Land Development Code, Chapter 40 – Site Plan Approval.

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by July 11, 2008.

An Affidavit of Non-Compliance has been filed by the Principal Planner, which Affidavit certified under oath that the required action has not been obtained after reinspection on September 3, 2008.

An Affidavit of Compliance has been filed by the Principal Planner, which Affidavit certified under oath that the required action has been obtained after reinspection on March 9, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated April 17, 2008, the Board orders that a fine in the amount of \$59,500.00 for 238 days of non-compliance at \$250.00 per day, from July 12, 2008 through and including March 6, 2009, **be reduced to \$1,500.00.**

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

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Case No. 09-04-CEB
Phillip A. Laws and Pearl E. Laws, Heirs
Code Enforcement Officer: Donna Wisniewski representing Jerry Robertson

This case was originally heard by the Board on January 22, 2009; and an Order was entered giving the Respondents a compliance date of February 4, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 5, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$5,000.00** for 50 days of non-compliance, from February 5, 2009 through and including March 26, 2009, at \$100.00 per day; and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p)

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Described as: 1) The accumulation of trash and debris
 2) Uncultivated vegetation in excess of 24" in height and located
 within 75' from any structure
 3) Any other objectionable, unsightly, or unsanitary matter,
 substance, or material tending by its existence and/or
 accumulation to endanger or adversely affect the health, safety,
 lives, and/or welfare of the citizens of the county

Location: 241 Overlook Drive, Chuluota (Commission District 1)
 Tax Parcel ID # 22-21-32-5UI-0200-0070

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owner of record of the property (Tax Parcel I.D. # 22-21-32-5UI-0200-0070) located at 241 Overlook Drive, Chuluota, located in Seminole County and legally described as follows:

LEG SEC 22 TWP 21S RGE 32E LOT 7 BLK 2
UNRECD PLAT CHULA VISTA

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 22, 2009, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondents did not take certain corrective action by February 4, 2009.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on February 5, 2009.

Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated January 22, 2009, the Board orders that a **lien** in the amount of **\$5,000.00** for 50 days of non-compliance at \$100.00 per day, from February 5, 2009 through and including March 26, 2009, be imposed; and the fine shall continue to accrue at **\$100.00** per day for each day the violations continue or are repeated past March 26, 2009.

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

Case No. 09-06-CEB
Aleco T. Lawton and
Deutsche Bank (lis pendens)
Code Enforcement Officer: Donna Wisniewski

This case was originally heard by the Board on January 22, 2009; and an Order was entered giving the Respondent a compliance date of February 6, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 9, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$12,000.00** for 48 days of non-compliance, from February 7, 2009 through and including March 26, 2009, at \$250.00 per day; and the fine shall continue to accrue at **\$250.00 per day** for each day the violation continues or is repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 1125 Howell Creek Drive, Winter Springs (Commission District 1)
Tax Parcel ID # 13-21-30-502-0G00-0040

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owner of record of the property (Tax Parcel I.D. # 13-21-30-502-0G00-0040) located at 1125 Howell Creek Drive, Winter Springs, located in Seminole County and legally described as follows:

LEG LOT 4 BLK G WINTER SPRINGS
PB 15 PG 82

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 22, 2009, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by February 6, 2009.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on February 9, 2009.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated January 22, 2009, the Board orders that a **lien** in the amount of **\$12,000.00** for 48 days of non-compliance at \$250.00 per day, from February 7, 2009 through and including March 26, 2009, be imposed; and the fine shall continue to accrue at **\$250.00** per day for each day the violation continues or is repeated past March 26, 2009.

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

Case No. 09-12-CEB
Ryan A. Gilbert and
Bank of New York (lis pendens)
Code Enforcement Officer: Joann Tamulonis

This case was originally heard by the Board on January 22, 2009; and an Order was entered giving the Respondent a compliance date of February 12, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 13, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$4,200.00** for 42 days of non-compliance, from February 13, 2009 through and including March 26, 2009, at \$100.00 per day; and the fine shall continue to accrue at **\$100.00 per day** for each day the violation continues or is repeated past March 26, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 3905 Anna Drive, Apopka (Commission District 3)
Parcel I. D. # 17-21-29-512-0000-0260

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 17-21-29-512-0000-0260) located at 3905 Anna Drive, Apopka, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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LEG LOT 26 BEAR LAKE HILLS
PB 13 PG 37

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 22, 2009, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by February 12, 2009.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on February 13, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated January 22, 2009, the Board orders that a **lien** in the amount of **\$4,200.00** for 42 days of non-compliance at \$100.00 per day, from February 13, 2009 through and including March 26, 2009, be imposed; and the fine shall continue to accrue at **\$100.00** per day for each day the violation continues or is repeated past March 26, 2009.

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES

BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES

MOTION CARRIED 6 – 0.

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VII Approval of the minutes from the meeting of February 26, 2009

MOTION BY GRACE CHEWNING, SECONDED BY PAUL SLADEK, TO APPROVE THE MINUTES FROM THE MEETING OF February 26, 2009.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – YES
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 6 – 0.

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VIII Confirmation date of next meeting: April 23, 2009

IX Old Business –

None

X New Business –

A) John Brooks, Case 05-09-CEB:

After being sworn in, Mr. Brooks requested that the Board waive his fine which had been reduced on February 26, 2009 to \$100.00 if paid within 30 days.

A general discussion ensued concerning the fine and when the reduced fine would revert back to the original amount.

Tom Hagood pointed out to the Board that the case was not on the agenda; and therefore, the file was not available for review. The Board discussed possible options.

Motion by Paul Sladek, seconded by Shelley Shafer, to extend the payment date until April 30, 2009 and place the case on the April 23, 2009 agenda to hear Mr. Brooks' request to waive the reduced fine.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE ORDER EXTENDING DATE TO PAY REDUCED FINE BE:

ORDER EXTENDING DATE TO PAY REDUCED FINE

The Respondents are the owner of record of the property (Tax Parcel I.D. # 06-21-30-300-022G-0000) located at 894 Alberta St, Longwood, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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LEG SEC 06 TWP 21S RGE 30E BEG 25 FT N
& 825 FT E OF SW COR OF NW 1/4 OF SW 1/4
RUN E 170 FT N 621.5 FT W 170 FT S 621.5 FT TO BEG

The Board now orders that the Respondents shall have an additional 30 days in which to pay the reduced fine of \$100.00. If the Respondents do not pay this amount on or before April 30, 2009, the fine will revert to the original amount of \$10,700.00.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 26th day of March 2009, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
DENNIS WARREN – YES**

**BILL FAHEY – NO
PAUL SLADEK – YES
SHELLEY SHAFFER – YES**

MOTION CARRIED 5 – 1.

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B) Election of Chair and Vice Chair:

The gavel was passed to the Clerk who opened the floor for nominations:

MOTION BY GRACE CHEWNING TO NOMINATE TOM HAGOOD AS CHAIRMAN OF THE CODE ENFORCEMENT BOARD.

Having no additional nominations, the Clerk closed the floor for discussion. There being no further discussion, this vote passed unanimously.

The gavel was passed to Tom Hagood, Chair, who opened the floor for nominations for Vice Chair.

MOTION BY BILL FAHEY TO NOMINATE GRACE CHEWNING AS VICE CHAIR. MS. CHEWNING DECLINED THE NOMINATION.

MOTION BY DENNIS WARREN TO NOMINATE BILL FAHEY AS VICE CHAIR.

Having no additional nominations, the Chair closed the floor for discussion. There being no further discussion, this vote passed unanimously.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 26, 2009

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:55 P.M.

Respectfully submitted:

Jane Spencer
Clerk to the Code Enforcement Board

Tom Hagood
Chair

3-26-09 minutes